

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHELLE LOU, et al.,

Plaintiffs,

v.

MA LABORATORIES, INC., et al.,

Defendants.

No. C 12-05409 WHA

**ORDER DENYING
ADMINISTRATIVE
MOTION TO STRIKE**

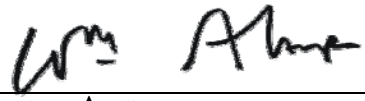
Plaintiffs have filed an “administrative motion to strike” defendants’ recently-filed motion to disqualify two of the putative class representatives. Plaintiffs complain that the defendants have transplanted their arguments regarding the Rule 23(a)(4) adequacy of the putative class plaintiffs from their class certification opposition into a stand-alone motion, effectively violating the page limit restrictions for their opposition (Dkt. No. 295).

A motion to strike on the ground that pleading is procedurally improper is not an administrative issue. On that basis, plaintiff’s administrative motion is **DENIED**. This ruling is without prejudice to plaintiffs raising the alleged procedural impropriety of the motion in their opposition. This order reminds the parties, however, that a prior order made clear that plaintiffs were permitted one class certification motion subject to normal page limits (Dkt. No. 258). Plaintiffs nevertheless filed a class certification motion *and* a separate motion for “equitable tolling” primarily concerning the applicable time frames for their proposed classes (Dkt. No.

284). If the parties wish to assail the procedural impropriety of their motions, both sides' actions will be considered. What's good for the goose is good for the gander.

IT IS SO ORDERED.

Dated: October 29, 2013.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE